

REMARKS

Claims 1-23 are pending. Claims 1, 6, 14, 15 and 21 have been amended to more clearly and distinctly claim the subject matter that applicant regards as his
5 invention. No new matter is believed to be added by the present amendment.

Responsive to the rejection of claims 1-18 and 21-23 under 35 U.S.C. 102(e) as being anticipated by Gotoh et al (U.S. Pat. No. 6,052,465), Applicant submits that for
10 the reasons discussed below claims 1-18 and 21-23 are not anticipated by Gotoh et al.

The present invention recognizes that it is desirable to provide multiple laser-encoded areas on a single disk, wherein each area includes individualized
15 information associated with each respective program stored on the disk. In that regard, individualized laser coded data associated with respective program data is included in respective data areas. For example, as shown in Fig. 5, four separate BCA areas having individualized
20 laser coded data is provided wherein each BCA area is associated with a respective one of the separate program data portions of the disk, namely layer 1, side A; layer 1, side B; layer 0, side A; and layer 0, side B. Each individualized laser coded data on each portion is
25 separate and distinct from the laser coded data on the other portions. In that regard, the claims have been amended to recite "individualized laser encoded data" disposed on respective data areas and identifying
respective program data.

30 Applicants submit that Gotoh et al. fails to disclose or suggest the above-discussed feature. Gotoh discloses a system for placing a barcode, serial number, or other similar identification information onto a disk in overwriting fashion, wherein laser marking is added to
35 the disk, and the marking is used in combination with the underlying data to provide unique identification of the disk. In the case of a disk having two layers, Gotoh teaches using the same laser marking for both layers to

provide enhanced protection against illegal reproduction of the disks.

More specifically, the laser markings of Gotoh are used to derive specific address and clock information.

5 See Figs. 5, 13 and 20. As shown in Figs. 13a and 13b, the identification of the disk is derived from the address information associated with the laser markings.

In the case of a disk having two layers, a single laser marking, which is applicable to both layers, is placed on the disk. See Fig. 7, wherein the laser penetrates through the same hole in both layers, and thus, non-reflective portion 815 is identical for the first reflective layer 802 and the second reflective layer 804 (col. 36, lines 53-60). The enhanced protection in the two layer structure is provided by the fact that positional relationships between the layers is random when laminated such that reproducing the positions where the marks are formed on the first and second layers is difficult (col. 37, line 64 - col. 38, line 14).
15 Therefore, it is clear that Gotoh fails to disclose individualized laser encoded data disposed on each data area, which are associated with a respective program data area.

In fact, Gotoh teaches away from the present invention because Gotoh teaches the use of the **same** laser markings in order to provide enhanced protection from illegal reproduction of the disks. By contrast, the present claims recite individualized laser encoded data for identifying the associated program data. For the reasons discussed above, applicant submits that Gotoh et al. fails to disclose, or suggest, a notable feature of the present claims, and in fact, teaches away from this feature, and thus, present claims 1, 6, 14, 15, 21, 22 and 23, and the claims that depend therefrom, are not anticipated by Gotoh.
35

In view of the foregoing, Applicant submits that the present application is in condition for allowance and respectfully request such action. No fee is believed due

in regard to the present amendment. However; if a fee is
due, please charge the fee to Deposit Account 07-0832.
Should any questions arise regarding any of the above,
the Examiner is requested to contact the undersigned at
5 609-734-6815.

Respectfully submitted,
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Date: June 9, 2003

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30 Commissioner for Patents, Alexandria, VA 22313-1450 on
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Date: 6-09-03 Signature P. Buchholz
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Marked up version of amended claims indicating
additions and deletions:

1. (Amended) A recording medium having a first and
5 a second side comprising:

respective program data on said first and said
second sides of said medium; and

a first area on said first side and a second
area on said second side of said medium, each said
10 [areas] area having disposed thereon respective
individualized laser encoded data representing
information identifying said respective program data.

16. (Twice Amended) A recording medium comprising:
15 a first layer and a second layer, each of said
layers containing respective program data;

a first area on said first layer and a second area
on said second layer, each said [areas] area having
disposed thereon respective individualized laser encoded
20 data representing individualized information.

14. (Amended) A DVD disk, comprising:

a first layer for storing a first program;
a second layer for storing a second program;
25 an area of said first layer for having first
individualized laser encoded data for identifying said
first program; and

an area of said second layer for having second
individualized laser encoded data for identifying said
30 second program.

15. (Amended) An apparatus for laser encoding a
first and a second selectively distinct codes on a
recording medium, comprising:

35 means for encoding [said] a first
individualized code in a first preselected position and

in a first preselected layer on said recording medium;
and

means for encoding [said] a second
individualized code in a second preselected position and
5 in a second preselected layer of said recording medium.

21. (Amended) A optical disk having a first
recording area where first main data are recorded in the
form of pits, and a second recording area which is a
10 predetermined area in the first recording area, where a
plurality of a reflection film are removed partially, so
a first individualized identification data is recorded
for associating with the first main data, the optical
disk being characterized by:
15 a third recording area for recording second main
data; and
a fourth recording area where a plurality of
reflection film are removed partially, so a
individualized second identification data is recorded for
20 associating with the second main data.